

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3771

To amend the Internal Revenue Code of 1986 to provide tax incentives for businesses participating in gun exchange programs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1994

Mr. SCHUMER introduced the following bill; which was referred jointly to the Committees on Ways and Means and the Judiciary

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## A BILL

To amend the Internal Revenue Code of 1986 to provide tax incentives for businesses participating in gun exchange programs, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Gun Exchange Tax  
5       Incentive Act of 1994”.

6       **SEC. 2. MODIFICATIONS TO CERTAIN LIMITATIONS ON**  
7               **CHARITABLE DEDUCTION.**

8       (a) GENERAL RULE.—Subsection (e) of section 170  
9       of the Internal Revenue Code of 1986 (relating to certain

1 contributions of ordinary income and capital gain prop-  
2 erty) is amended by adding at the end thereof the follow-  
3 ing new paragraph:

4           “(6) SPECIAL RULES FOR GUN EXCHANGE PRO-  
5       GRAM CONTRIBUTIONS.—

6           “(A) DEDUCTION ALLOWED FOR FULL  
7       MARKET VALUE.—The deduction under sub-  
8       section (a) for any qualified gun exchange pro-  
9       gram contribution shall be an amount equal to  
10      its fair market value and no reduction under  
11      paragraph (1)(A) shall be made in the amount  
12      of such contribution.

13          “(B) INCREASE IN CORPORATE PERCENT-  
14      AGE LIMITATION.—The limitation of subsection  
15      (b)(2) shall be increased by the lesser of—

16           “(i) the aggregate amount of qualified  
17      gun exchange program contributions made  
18      by the taxpayer during the taxable year, or

19           “(ii) 5 percent of the taxpayer’s tax-  
20      able income computed as provided in sub-  
21      section (b)(2).

22          “(C) QUALIFIED GUN EXCHANGE PRO-  
23      GRAM CONTRIBUTION.—For purposes of this  
24      paragraph, the term ‘qualified gun exchange  
25      program contribution’ means any charitable

1 contribution of property described in paragraph  
2 (1) of section 1221 or of a coupon or similar in-  
3 strument which may be used to acquire prop-  
4 erty so described if—

5 “(i) such contribution is to a govern-  
6 mental unit described in subsection (c)(1)  
7 or to an organization described in sub-  
8 section (c)(2) which is designated by a gov-  
9 ernmental unit as a qualified recipient of  
10 gun exchange program contributions,

11 “(ii) the property (or coupon or simi-  
12 lar instrument) is to be transferred in ex-  
13 change for firearms to persons surrender-  
14 ing firearms to a governmental unit in a  
15 gun exchange program established and ad-  
16 ministered by such governmental unit, and

17 “(iii) the taxpayer received from the  
18 governmental unit or organization des-  
19 ignated under clause (i) a written state-  
20 ment that the property (or coupon or simi-  
21 lar instrument) was transferred as pro-  
22 vided in clause (ii).”

23 (b) EFFECTIVE DATE.—The amendment made by  
24 subsection (a) shall apply to contributions made after the  
25 date of the enactment of this Act.

1 **SEC. 3. MODEL PROGRAM.**

2 (a) MODEL PROGRAM.—The Attorney General shall  
3 develop a written model program for business-sponsored  
4 gun exchange programs.

5 (b) DISTRIBUTION.—Not later than 3 months after  
6 the date of the enactment of this Act, the Attorney Gen-  
7 eral shall make available such model to States, units of  
8 local governments, and businesses.

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